

Amendment No. 2 to HB1921

**Todd
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1663*

House Bill No. 1921

by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 37-1-153, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding the provisions of any law to the contrary, any person, who is tried and adjudicated delinquent by a juvenile court, may subsequently petition the juvenile court for expunction of all court files and records. The court may order all or any portion of the requested expunction if, by clear and convincing evidence, the court finds that the petitioner:

(1)

(A) Is currently eighteen (18) years of age or older;

(B) Is at least one (1) year removed from his or her most recent delinquency adjudication; and

(C) Has never been convicted of any criminal offense, either as a juvenile, pursuant to § 37-1-134, or as an adult;

(2) Has maintained a consistent and exemplary pattern of responsible, productive and civic-minded conduct for one or more years immediately preceding the filing of the expunction petition; or

(3) The juvenile has made such an adjustment of circumstances that the court, in its discretion, believes that expungement serves the best interest of the child and the community.

Nothing in this subsection shall be construed to apply to any law enforcement records, files, fingerprints or photographs pertaining to any delinquency adjudication.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.